

10/536891  
JC06 Rec'd PCT/PTO 27 MAY 2005  
MAIL STOP PCT  
Attorney Docket: 26772U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

KOHL, et al.

Internatl. Appl. No.: PCT/EP2003/013604

Serial Number: Not Yet Assigned

Internatl. Filing Date: 03 December 2003 (03.12.2003)

Filing Date: May 27, 2005

Title: **PROCESS FOR PREPARING (S)-PANTOPRAZOLE**

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

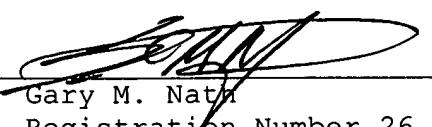
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Application Data Sheet;
- (2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- (3) International Publication Number: WO 2004/052881 A2, International Publication Date: 24 June 2004 (24.06.2004), which consists of 14 pages:
  - 1 Page for the Cover Sheet, which contains the Abstract,
  - 10 Pages of Textual Specification,
  - 3 Pages of 20 Claims,
  - 0 Sheets of Drawings;
- (4) **Preliminary Amendment with Appendixes A and B to be Examined;**
- (5) International Preliminary Examination Report (PCT/IPEA/409);
- (6) **PCT Request with Executed Inventor's Declaration (PCT/RO/101);**
- (7) International Publication Number: WO 2004/052881 A3, with International Search Report (PCT/ISA/210);
- (8) Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (PCT/IB/308);
- (9) Information Concerning Elected Offices Notified of their Election (PCT/IB/332);
- (10) Notification Concerning Submission or Transmittal of Priority Document (PCT/IB/304);
- (11) Check Number: 23105 in the amount of \$ 950.00 for Basic Filing Fee, Examination Fee, and Search Fee (\$ 900.00) and for 1 Extra Claim Over 20 (\$ 50.00), as a Large Entity;
- (12) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

Date: May 27, 2005

By:   
Gary M. Nath  
Registration Number 26,965  
Sheldon M. McGee  
Registration Number 50,454  
Customer Number 34375

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MAIL STOP PCT

ATTORNEY'S DOCKET NUMBER: 26772U

U.S. DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE		DATE: 27 May 2005 (27.05.2005)
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLN. NUMBER: (if known): Not Yet Assigned <b>10/536891</b>
INTERNATIONAL APPLICATION NUMBER: PCT/EP2003/013604	INTERNATIONAL FILING DATE: 03 December 2003 (03.12.2003)	PRIORITY DATE CLAIMED: 06 December 2002 (06.12.2002) EP 29 August 2003 (29.08.2003) DE
TITLE OF INVENTION: PROCESS FOR PREPARING (S)-PANTOPRAZOLE		
APPLICANT(S) FOR DO/EO/US: Bernhard KOHL; Bernd MÜLLER; Ralf Steffen WEINGART		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ul style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) The submission must include items(5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ul> </li> <li>6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ul> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ul>		
ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:		
<ul style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</li> <li>20. <input checked="" type="checkbox"/> Other items or information:            TRANSMITTAL LETTER; APPLICATION DATA SHEET; TRANSMITTAL LETTER TO U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING FILING UNDER 35 U.S.C. 371; INTERNATIONAL PUBLICATION NUMBER: WO 2004/052881 A2, INTERNATIONAL PUBLICATION DATE: 24 JUNE 2004 (24.06.2004), WHICH CONSISTS OF 14 PAGES: 1 PAGE FOR THE COVER SHEET, WHICH CONTAINS THE ABSTRACT, 10 PAGES OF TEXTUAL SPECIFICATION, 3 PAGES OF 20 CLAIMS, 0 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH APPENDIXES A AND B TO BE EXAMINED; INTERNATIONAL PRELIMINARY EXAMINATION REPORT (PCT/IPEA/409);            PCT REQUEST WITH EXECUTED INVENTOR'S DECLARATION (PCT/RO/101); INTERNATIONAL PUBLICATION NUMBER: WO 2004/052881 A3, WITH INTERNATIONAL SEARCH REPORT (PCT/ISA/210); NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION TO THE DESIGNATED OFFICES (PCT/IB/308); INFORMATION CONCERNING ELECTED OFFICES NOTIFIED OF THEIR ELECTION (PCT/IB/332); NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT (PCT/IB/304); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.         </li> </ul>		

ATTORNEY'S DOCKET NUMBER: 26772U

U.S. APPLICATION NUMBER: (If known): Not yet assigned <b>107536891</b>		INTERNATIONAL APPLICATION NUMBER: PCT/EP2003/013604	DATE: 27 May 2005 (27.05.2005)																																																																		
The following fees are submitted:			CALCULATIONS	PTO USE ONLY																																																																	
21. Basic National Fee ..... \$ 300.00			\$ 300.00																																																																		
22. Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy Provisions of PCT Article 33(1)-(4) ..... \$ 100.00 All other situations ..... \$ 200.00			\$ 200.00																																																																		
23. Search Fee (37 CFR 1.445(a)(2) has been paid on the International Application to the USPTO as an International Searching Authority ... \$ 100.00 International Search Report prepared and provided to the Office ..... \$ 400.00 All other situations ..... \$ 500.00			\$ 400.00																																																																		
— Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.			\$ 900.00																																																																		
ENTER APPROPRIATE BASIC FEE AMOUNT =																																																																					
Surcharge of \$130.00 for furnishing the oath or declaration later than <u>      20      </u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).			\$ 0.00																																																																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">CLAIMS</th> <th style="text-align: left; padding: 2px;">NUMBER: FILED</th> <th style="text-align: left; padding: 2px;">NUMBER: EXTRA</th> <th style="text-align: left; padding: 2px;">RATE</th> <th style="text-align: left; padding: 2px;"></th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">TOTAL</td> <td style="padding: 2px;">21-20=</td> <td style="padding: 2px;">1</td> <td style="padding: 2px;">X \$ 50.00</td> <td style="padding: 2px;">\$ 50.00</td> </tr> <tr> <td style="padding: 2px;">INDEPENDENT</td> <td style="padding: 2px;">2-3=</td> <td style="padding: 2px;">0</td> <td style="padding: 2px;">X \$ 200.00</td> <td style="padding: 2px;">\$ 0.00</td> </tr> <tr> <td colspan="3" style="padding: 2px;">Multiple dependent claims(s) (if applicable)</td> <td style="padding: 2px;">+ \$360.00</td> <td style="padding: 2px;">\$ 0.00</td> </tr> <tr> <td colspan="4" style="text-align: right; padding: 2px;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td style="padding: 2px;">\$ 950.00</td> </tr> <tr> <td colspan="5" style="text-align: left; padding: 2px;">Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).</td> </tr> <tr> <td colspan="4" style="text-align: right; padding: 2px;"><b>SUBTOTAL =</b></td> <td style="padding: 2px;">\$ 950.00</td> </tr> <tr> <td colspan="5" style="text-align: left; padding: 2px;">Processing fee of \$130.00 for furnishing the English translation later than <u>      20      </u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +</td> </tr> <tr> <td colspan="4" style="text-align: right; padding: 2px;"><b>TOTAL NATIONAL FEE =</b></td> <td style="padding: 2px;">\$ 950.00</td> </tr> <tr> <td colspan="5" style="text-align: left; padding: 2px;">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 per property +</b></td> </tr> <tr> <td colspan="4" style="text-align: right; padding: 2px;"><b>TOTAL FEES ENCLOSED =</b></td> <td style="padding: 2px;">\$ 950.00</td> </tr> <tr> <td colspan="4" style="text-align: right; padding: 2px;">Amount to be: refunded</td> <td style="padding: 2px;">\$</td> </tr> <tr> <td colspan="4" style="text-align: right; padding: 2px;">charged</td> <td style="padding: 2px;">\$</td> </tr> </tbody> </table>					CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE		TOTAL	21-20=	1	X \$ 50.00	\$ 50.00	INDEPENDENT	2-3=	0	X \$ 200.00	\$ 0.00	Multiple dependent claims(s) (if applicable)			+ \$360.00	\$ 0.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$ 950.00	Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).					<b>SUBTOTAL =</b>				\$ 950.00	Processing fee of \$130.00 for furnishing the English translation later than <u>      20      </u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +					<b>TOTAL NATIONAL FEE =</b>				\$ 950.00	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 per property +</b>					<b>TOTAL FEES ENCLOSED =</b>				\$ 950.00	Amount to be: refunded				\$	charged				\$
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<b>101536891</b> U.S. APPLICATION NUMBER: (If known) Not Yet Assigned	INTERNATIONAL APPLICATION NUMBER: <b>PCT/EP2003/013604</b>	DATE: 27 May 2005 (27.05.2005)
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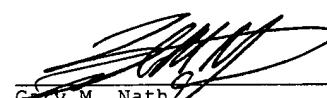
- a.  One check in the amount of \$ 950.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account Number: 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c.  The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d.  Fees are to be charged to a credit card  WARNING: Information on this form may become public  Credit Card Information should not be included on this form.  
 Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

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